

**JUDICIAL ACTIVISM**

*Committee on the Judiciary:* Subcommittee on the Constitution, Federalism, and Property Rights resumed hearings to examine issues with regard to the constitutional role of federal judges to decide cases and controversies, focusing on the problem and impact of judicial activism, whereby federal judges' decisions are based on policy preferences, receiving testimony from Alabama Attorney General Bill Pryor, Montgomery; Marc L. Fleischaker, Arent Fox Kitner Plot-

kin and Kahn, Washington, D.C., on behalf of the Lawyers' Committee for Civil Rights Under Law; Terry L. Stewart, Arizona Department of Corrections, Phoenix; Gail Heriot, University of San Diego Law School, San Diego, California; Barry Friedman, Vanderbilt University School of Law, Nashville, Tennessee; and Rob Tier, Center for the Community Interest, Dallas, Texas.

Hearings were recessed subject to call.

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## House of Representatives

**Chamber Action**

**Bills Introduced:** 8 public bills, H.R. 2161–2168; and 3 resolutions, H. Con. Res. 115–116 and H. Res. 186, were introduced. Pages H5296–97

**Reports Filed:** Reports were filed today as follows: H.R. 629, to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact (H. Rept. 105–181);

Report on the Revised Subdivision of Budget Totals for Fiscal Year 1998 (H. Rept. 105–182);

H.R. 699, to guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections (H. Rept. 105–183 Part I); and

H. Res 185, providing for consideration of H.R. 2159 making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998 (H. Rept. 105–184). Page H5296

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Stearns to act as Speaker pro tempore for today. Page H5185

**Journal:** By a recorded vote of 373 ayes to 50 noes, Roll No. 269, the House agreed to the Speaker's approval of the Journal of Monday, July 14. Pages H5191–92, H5247

**Recess:** The House recessed at 11:11 a.m. and reconvened at 12:00 noon. Page H5191

**Private Calendar:** On the call of the Private Calendar, the House passed the following bills:

**Cleared for the President:** S. 768, for the relief of Michel Christopher Meilli, Giuseppina Meilli, Mirjam Naomi Meilli, and Davide Meilli. Pages H5192–93

**Sent to the Senate Without Amendment:** H.R. 378, for the relief of Heraclio Tolley. Page H5192

**Sent to the Senate, Amended:** H.R. 584, for the relief of John Wesley Davis. Page H5192

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Juvenile Justice and Delinquency Prevention:** H.R. 1818, as amended, to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1998, 1999, 2000, and 2001 (passed by a ye-a-and-nay vote of 413 yeas to 14 nays, Roll No. 267); and Pages H5195–H5213, H5245–46

**Transfer of Naval Vessels:** H.R. 2035, amended, to authorize the transfer of naval vessels to certain foreign countries (passed by a ye-a-and-nay vote of 426 yeas to 1 nay, Roll No. 268). Pages H5213–14, H5246–47

**Interior and Related Agencies Appropriations Act:** By a ye-a-and-nay vote of 238 yeas to 192 nays, Roll No. 275, the House passed H.R. 2107, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998. The House completed debate and considered amendments on July 10 and July 11. Pages H5214–45, H5266–72

Agreed To:

The Gibbons amendment that clarifies that the identified water rights are surface water rights; Pages H5215–17

The Crapo amendment that establishes the Deficit Reduction Lock-box Act of 1997 that requires an appropriations conference committee to allocate spending reductions to deficit reduction when both the House and Senate reduce the funding for a specific program, rather than reallocating the funding reduction to other programs (agreed to by a recorded vote of 314 ayes to 109 noes, Roll No. 271); Pages H5217–19, H5267–68

The Hill amendment that prohibits any funding that is made available to the Indian Health Service to be used to restructure Indian health care delivery systems to Alaskan Natives; Pages H5233–34

The Stupak amendment that prohibits any funding to be used for the eviction of any person from

real property in Sleeping Bear Dunes National Lakeshore that the person was authorized to occupy on July 10, 1997; Pages H5234–35

The Coburn amendment that prohibits any funding to be used for the Man and Biosphere Program or the World Heritage Program administered by the United Nations Educational, Scientific, and Cultural Organization (agreed to by a recorded vote of 222 ayes to 203 noes, Roll No. 273); and

Pages H5235–44, H5268–69

The Weldon of Florida amendment that prohibits any funding to designate or post any sign designating the Canaveral National Seashore in Brevard County, Florida as a clothing optional area if such a designation would be contrary to local ordinance (passed by a recorded vote of 396 ayes to 25 noes, Roll No. 274). Pages H5244–45, H5269–70

Rejected:

The Chabot amendment, debated on July 11, that sought to terminate the funding of \$110 million for the National Endowment for the Humanities (rejected by a recorded vote of 96 ayes to 328 noes, Roll No. 270); and Pages H5156–68, H5266–67

The Istook amendment that sought to prohibit the use of any funds to carry out the provisions of the Indian Reorganization Act to acquire any interest in lands outside of existing Indian reservations (rejected by a recorded vote of 208 ayes to 216 noes, Roll No. 272). Pages H5219–33, H5268

Point of Order Sustained Against:

The Istook amendment that sought to prohibit the Bureau of Indian Affairs from transferring any new land into trust without a binding agreement in place between the tribe and the local or state government regarding sales or excise taxes. Page H5220

The Clerk was authorized to correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, H.R. 2107. Page H5272

The House agreed to H. Res. 181, the rule that provided for consideration of the bill on July 10.

Pages H5049–62

**Meeting Hour—Wednesday, July 16:** Agreed that when the House adjourns today, it adjourn to meet at 11:00 a.m. on Wednesday, July 16. Page H5272

**VA, HUD, and Independent Agencies Appropriations Act:** The House completed general debate and began consideration of amendments to H.R. 2158, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998. Consideration of amendments will resume on Wednesday, July 16. Pages H5247–66, H5272–88

Agreed To:

The Tiahrt amendment that increases veterans health administration medical research by \$25 million including a \$5 million increase for gulf war ill-

ness research and decreases the operating expenses funding for the Corporation for National and Community Service by \$200 million. Pages H5277–88

Vote Postponed:

The Obey Amendment that seeks to increase veteran medical care funding by \$48 million and decrease emergency management planning and assistance funding for a wind simulation center by \$60 million. Pages H5273–77

The House agreed to H. Res. 184, the rule that is providing for consideration of the bill by a voice vote. Pages H5247–51

**National Commission on the Cost of Higher Education:** The Chair announced the Speaker's appointment of Mr. Martin Anderson of California, Mr. George Waldner of Pennsylvania, and Mr. Jonathan Brown of California on the part of the House to the National Commission on the Cost of Higher Education. Page H5288

**Bipartisan Task Force on Reform of the Ethics Process:** Agreed by unanimous consent that the order of the House of May 7, 1997, as extended on June 24, 1997, be further extended through Wednesday, July 30, 1997. The order of the House concerning the ethics process made in order during the period beginning immediately and ending on July 30, 1997: (1) the Committee on Standards of Official Conduct may not receive, renew, initiate, or investigate a complaint against the official conduct of a member, officer, or employee of the House; (2) the Committee on Standard of Official Conduct may issue advisory opinions and perform other non-investigative functions; and (3) a resolution addressing the official conduct of a Member, officer, or employee of the House that is proposed to be offered from the floor by a Member other than the Majority Leader or the Minority Leader, or a Member designated from the floor by the Majority Leader or the Minority Leader at the time of notice pursuant to clause 2(A)(1) of Rule IX, as a question of the privileges of the House shall once noticed pursuant to clause 2(a)(1) of Rule IX, have precedence over all other questions except motions to adjourn only at a time or place designated by the Chair in the legislative schedule within two legislative days after July 30, 1997. Page H5288

**Senate Messages:** Message received from the Senate today appears on page H5185.

**Referrals:** The following Senate passed bills were referred to the Committee on Resources: S. 231, to establish the National Cave and Karst Research Institute in the State of New Mexico; S. 669, to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site; S. 731, to extend the legislative authority for construction of the National Peace Garden memorial; and S. 423, to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason. Pages H5295–96

**Amendments:** Amendments ordered printed pursuant to the rule appear on pages H5297–H5301.

**Quorum Calls—Votes:** Three yea-and-nay votes and six recorded votes developed during the proceedings of the House today and appear on pages H5245–46, H5246–47, H5247, H5266–67, H5267–68, H5268, H5268–69, H5269–70, and H5271–72. There were no quorum calls.

**Adjournment:** Met at 10:30 a.m. and adjourned at 11:28 p.m.

## Committee Meetings

### WILDLIFE MANAGEMENT

*Committee on Agriculture:* Held a hearing on Review of Wildfire Management in the United States. Testimony was heard from Joan Comanor, Deputy Chief, State and Private Forestry, Forest Service, USDA; Richard A. Wilson, Forester, Department of Forestry, State of California; James B. Hull, Forester, Forest Service, State of Texas; James Johnson, Forester, Department of Conservation, State of Missouri; and public witnesses.

### LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services approved for full Committee action the Labor, Health and Human Services, and Education appropriations for fiscal year 1998.

### PROPOSED INTERNATIONAL GLOBAL CLIMATE CHANGE AGREEMENT

*Committee on Commerce:* Subcommittee on Energy and Power held a hearing on the Economic and Environmental Impact of the Proposed International Global Climate Change Agreement. Testimony was heard from Timothy E. Wirth, Under Secretary, Global Affairs, Department of State; and Janet Yellen, Chair, Council of Economic Advisors.

### HIGHER EDUCATION ACT

*Committee on Education and the Workforce:* Subcommittee on Postsecondary Education, Training and Life-Long Learning continued hearings on H.R. 6, Higher Education Amendments of 1997, with emphasis on the Education of the Deaf Act and Title V of the Higher Education Act. Testimony was heard from the following officials of the Department of Education: Judith Heumann, Assistant Secretary; I. King Jordan, President, Gallaudet University; and Therese Knecht Dozier, Special Advisor on Teaching; and public witnesses.

Hearings continue July 17.

### IMPACT OF RADIO ON AFRICAN DEMOCRACY

*Committee on International Relations:* Subcommittee on Africa and the Subcommittee on International Operations and Human Rights held a joint hearing on

Impact of Radio on African Democracy. Testimony was heard from the following officials of the International Broadcasting Bureau, U.S. Information Agency: Kevin Klose, Director; and Evelyn Lieberman, Director, Voice of America; and public witnesses.

### MISCELLANEOUS MEASURES; OVERSIGHT—INSTITUTIONAL HEARING PROGRAM

*Committee on the Judiciary:* Subcommittee on Immigration and Claims approved for full Committee action the following bills: H.R. 1109, to amend the Immigration and Nationality Technical Corrections Act of 1994 to eliminate the special transition rule for issuance of a certificate of citizenship for certain children born outside the United States; H.R. 1348, Expanded War Crimes Act of 1997; and H.R. 2027, to provide for the revision of the requirements for a Canadian border boat landing permit pursuant to section 235 of the Immigration and Nationality Act, and to require the Attorney General to report to the Congress on the impact of such revision.

The Subcommittee approved a motion to request a report on a private immigration bill.

The Subcommittee also held an oversight hearing on the Institutional Hearing Program. Testimony was heard from the following officials of the Administration of Justice Issues Division, GAO: Norman J. Rabkin, Director; Evi Rezmovic, Assistant Director; Jay Jennings and Fred Berry, both Senior Evaluators; the following officials of the Department of Justice: Paul Virtue, Executive Associate Commissioner, Programs and Lydia St. John-Mellado, IHP Coordinator, both with the Immigration and Naturalization Service; Michael J. Creppy, Chief Immigration Judge and Michael C. McGoings, Assistant Chief Immigration Judge, both with the Executive Office for Immigration Review; John L. Clark, Assistant Director, Community Corrections and Detention and James Zangs, Administrator, Detention Services Branch, both with the Bureau of Prisons; and public witnesses.

### OVERSIGHT—ADMINISTRATION'S PROPOSAL REGARDING AMERICAN HERITAGE RIVERS INITIATIVE

*Committee on Resources:* Held an oversight hearing on the Administration's Proposal regarding the American Heritage Rivers Initiative. Testimony was heard from Kathleen A. McGinty, Chair, Council on Environmental Quality; Bruce Babbitt, Secretary of the Interior; and Dan Glickman, Secretary of Agriculture.

### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT FOR FY 1998.

*Committee on Rules:* Granted, by a voice vote, a modified open rule on H.R. 2159, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30,